

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass and original bill and committee substitute be printed in the Journal and not otherwise.

WITT, Chairman.

### NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,

Thursday, May 10, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem Charles Murphy.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Darwin. Doyle.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

### Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Bledsoe:

S. B. No. 110, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than sixteen thousand five hundred nor more than seventeen thousand five

hundred according to the last United States census, and which, have an area of not less than eleven hundred and fifty square miles nor more than twelve hundred square miles and declaring an emergency."

To the Committee on Roads, Bridges and Ferries.

By Senator Rogers:

S. B. No. 111, A bill to be entitled "An Act to amend Title 5, Article 30, paragraphs 15 and 59, of the Revised Civil Statutes of Texas of 1911, which Article provides for judicial districts of the State; and which paragraph 15 defines the Fifteenth Judicial District and determines the date and length of term of such district court in Grayson County; and which paragraph 59 defines the Fifty-ninth Judicial District and determines the date and length of term of such district court in each of the counties of said district, namely, Grayson and Collin Counties; and which amendment provides for a change in the terms and time of holding court in each of said judicial districts, and declaring an emergency.

To the Committee on Judicial Districts.

By Senator Floyd:

S. B. No. 112, A bill to be entitled "An Act to define what shall constitute a unit of weight or measure of all commodities purchased or sold by length, weight or measure; providing for the sale of commodities by State standards of weight or measure; providing for the sale of hay by weight; establishing a standard for bread sold in loaves; providing penalties for the enforcement of this law; repealing certain statutes and declaring an emergency."

To the Committee on Criminal Jurisprudence.

### H. B. No. 69 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage.

H. B. No. 69, A bill to be entitled "An Act extending oil and gas permits on lands which are now or have been in the possession or under the control of the Federal receiver appointed by the Supreme Court of the United States for such periods of time, respectively, as such lands have been or may be in such receiver's

possession or under his control, and declaring an emergency."

The bill was read third time and passed.

#### H. B. No. 70 on Second Reading.

The Chair laid before the Senate as regular order, on second reading,

H. B. No. 70, A bill to be entitled "An Act amending Article 5980, relating to bonds of navigation and canal commissioners; Article 5995, relating to contractors' bond to navigation and canal commissioners; Article 5997, relating to payments to contractors during progress of work; Title 96, Revised Civil Statutes of Texas, 1911, so that articles shall hereafter read as herein provided; and further amending Section 11 of Chapter 30, Acts of 1921, General Laws of the State of Texas, First Called Session, Thirty-seventh Legislature, relating to navigation districts, so that said Section 11 may hereafter read as herein provided; and providing that the constitutionality of any part of this Act does not invalidate the remainder; prescribing that all laws, or parts of laws in conflict herewith are repealed, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

#### H. B. No. 51 on Second Reading.

The Chair laid before the Senate as regular order, on second reading,

H. B. No. 51, A bill to be entitled "An Act amending Section 3 and Section 5 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas,' etc., being Senate Bill No. 118, Chapter 2, of the Regular Session Laws, so as to prevent the unlawful expenditure of the State Text Book Fund and inhibit the unlawful purchase of unnecessary free text books, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and on motion of Senator Wirtz was made a special order after the morning call tomorrow.

#### S. B. No. 74 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 74, A bill to be entitled "An Act abolishing special funds in the State Treasury set aside therein for special and particular purposes and placing all moneys that are in such funds in the general revenue fund so that all moneys shall be paid out on general warrants on an equal basis, payable as to order of payment according to serial number; prescribing how such warrants shall be numbered serially; providing that this Act shall not apply to special funds created and provided for in the State Constitution which the Legislature cannot place or make applicable to the general revenue fund as herein provided for other special funds, nor to special funds consisting of taxes remitted or donated to counties, cities or localities; enacting the necessary provisions so that the general revenue fund will get the benefit of any such special funds now on hand or to be collected; and declaring an emergency."

The bill was read second time.

Senator Burkett offered the following amendment to the bill:

Amend S. B. No. 74 by adding thereto a new section as follows:

"Sec. 4. Provided the terms of this bill shall not apply to any fund collected for and appropriated to the State Highway Department."

The amendment was adopted.

Senator Wirtz offered the following amendment to the bill:

Amend Senate Bill No. 74 by adding a new section just before the emergency clause, which new section shall be Section No. 2 and shall read as follows:

"Sec. 2. That this Act nor the provisions of same shall not apply to the special game fund as provided for by Article 4039a, Revised Civil Statutes of the State of Texas."

The amendment was adopted.

The bill was then passed to engrossment.

#### H. B. No. 33 on Passage to Third Reading.

The Chair laid before the Senate as pending business, on its passage to third reading, H. B. No. 33, providing penalties for reckless driving

of automobiles when intoxicated, which was under consideration when the Senate adjourned yesterday, and with amendment by Senator John Davis pending.

Senator Davis withdrew the amendment.

Senator Burkett moved to reconsider the vote by which the Senate on yesterday adopted the following amendment offered by himself:

Amend H. B. No. 33 by adding thereto a new section to read as follows: and renumbered last Section 4.

"Sec. 3. All laws and parts of laws in conflict or partial conflict herewith are hereby expressly repealed."

The motion to reconsider prevailed. Senator Burkett then withdrew the amendment.

On motion of Senator Davis the bill was laid on the table subject to call.

Senator Davis called up the bill from the table and offered the following amendment to the same:

Amend House Bill No. 33, page 230 of the Senate Journal, by striking out "Section Two" and inserting in lieu thereof the following:

"Sec. 2. Any such person violating this Act shall be guilty of a felony and upon conviction shall be punished by confinement in the penitentiary for not more than two years, or by confinement in the county jail for a period of not more than ninety days, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment."

The amendment was adopted.

Senator Burkett offered the following amendment to the bill:

Amend H. B. No. 33 by adding thereto a new section as follows:

"Sec. 3. Section 13, Chapter 207, Acts Regular Session Thirty-fifth Legislature, page 477, is hereby expressly repealed."

The amendment was adopted.

Senator Davis offered the following amendment to the bill:

Amend caption to House Bill No. 33, page 230 of the Senate Journal, by striking out the caption and insert in lieu thereof the following:

"A bill to be entitled An Act making it a felony to drive an automobile or any motor driven vehicle upon the streets of any incorporated city, town or village or upon the public highway while the driver is under the influence of intoxicating liquor,

prescribing the punishment for such violation, repealing Section 13, Chapter 207, page 477, Acts of the Regular Session, Thirty-fifth Legislature in conflict herewith, and declaring an emergency."

The amendment was adopted.

H. B. No. 33 was then passed to third reading.

#### H. B. No. 33 on Third Reading.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 33 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Strong.
Clark.	Stuart.
Cousins.	Thomas.
Davis.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Rogers.

Absent—Excused.

Darwin.

Doyle.

The Chair then laid H. B. No. 33 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 89 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 89, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State; vesting therein and giving to it jurisdiction of all matters, things, powers and functions of the Department of Insurance and Banking, except such as may have been divested therefrom and vested in the Department of Banking; and giving

to it all the powers, jurisdiction, things and functions now vested in the State Insurance Commission; providing that the present two Commissioners shall continue to hold their respective positions until their successors are appointed and qualified as now provided by law; and providing for the appointment, term of office, name, compensation and prescribing the qualifications, powers and duties of the Commissioner of Insurance. The purposes of this Act being to consolidate the State Insurance Commission with the Department herein created, without changing the personnel, powers, jurisdiction and functions, duties and rights of said Commission, other than is herein expressly provided. To require of the Commissioner of Insurance and the two Commissioners an oath of office and a bond for the faithful discharge of their duties. The Department hereby created shall be known as the Department of Insurance, and shall be composed of three members. The Commissioner of Insurance herein provided for shall be the chairman and the presiding officer of said Commission. Each of the other two members of said Commission shall be designated and known as Commissioners; and giving to the Commission all powers to name and appoint all necessary actuaries, stenographers, clerks and other employees, and to discharge same when necessary, requisite to the efficient carrying out of the provisions of this Act; providing that the salaries of the Commission and of all employees in said Department and all the expenses of same, shall be paid out of the general revenue of this State, as is now provided by law; providing that the members of the Commission and the employees of said Department shall be placed and held under a rule of civil service as near as possible; providing that no Commissioner or employee shall be interested in any insurance company except as an insured; providing that if any section of this Act is declared unconstitutional, it shall not invalidate the remainder thereof; declaring the purposes of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### S. B. No. 89 on Third Reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 89 was put upon its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
Murphy.	

Nays—1.

Woods.

Present—Not Voting.

Burkett.

Absent.

Ridgeway.

Wirtz.

Absent—Excused.

Darwin.

(Pair Recorded.)

Senator McMillin (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

The Chair then laid S. B. No. 89 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 87 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 87, A bill to be entitled "An Act to amend Sections 2 and 10 of House Bill No. 13 passed at the Regular Session of Thirty-eighth Legislature, relating to the regulation, licensing and bonding of private employment agents so as to exempt from the operation of said bill those agents engaged in the business of securing employment for school teachers, and declaring an emergency."

The bill was read second time.

Senator Pollard offered the following amendment to the bill:

Amend S. B. No. 87 by striking out word "not" in Section 10, page 261, Col. 2, line 38 of Senate Journal.

The amendment was adopted.

Senator Fairchild moved to lay the bill on the table subject to call.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—11.

Clark.	Strong.
Cousins.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Lewis.	Wirtz.
Murphy.	

Nays—13.

Baugh.	Pollard.
Bowers.	Ridgeway.
Burkett.	Rogers.
Davis.	Witt.
Holbrook.	Wood.
McMillin.	Woods.
Parr.	

Present—Not Voting.

Stuart.

Absent.

Bledsoe.

Rice.

Absent—Excused.

Darwin.

(Pair Recorded.)

Senator Bailey (present), who would vote nay with Senator Doyle (absent), who would vote yea.

The bill was then passed to engrossment.

#### S. B. No. 87 on Third Reading.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 87 was put upon its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Rice.
Baugh.	Ridgeway.
Bowers.	Rogers.
Burkett.	Strong.
Davis.	Stuart.
Floyd.	Thomas.
Holbrook.	Turner.
Lewis.	Watts.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.
Pollard.	

Nays—2.

Clark.

Fairchild.

Present—Not Voting.

Cousins.

Wirtz.

Absent.

Bledsoe.

Absent—Excused.

Darwin.

Doyle.

The Chair then laid S. B. No. 87 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 80 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 80, A bill to be entitled "An Act to provide additional compensation for the members of the Railroad Commission of Texas, payable one-half out of the Regulating Pipe Line Fund created by Section 11, Chapter 30, Acts of the Regular Session of the Thirty-fifth Legislature, approved February 20, 1917, and one-half out of the 'Gas Utilities Fund' created by Section 11, Chapter 14, Acts of the Third Called Session of the Thirty-sixth Legislature, approved June 12, 1920, said sums to be paid in monthly installments by warrants drawn by the State Comptroller on the State Treasurer, as provided in said Acts for other salaries and expenses, and declaring an emergency."

The bill was read second time.

Senator Fairchild moved to adopt the minority committee report recommending that the bill do pass, and the motion prevailed.

Senator Baugh offered the following amendment to the bill.

Amend S. B. No. 80 by striking out in Section 1 thereof wherever they occur the words "Two Thousand Five Hundred Dollars" and inserting in lieu thereof the words, "one thousand dollars."

The amendment was adopted.

Senator Floyd offered the following amendment to the bill:

Amend S. B. No. 80 at the end of Section 1 by adding the following:

"Provided that no member of the Railroad Commission shall be eligible to become a candidate for any other State office while a member of said

Commission and while he continues to receive the full emoluments of said office of Railroad Commissioner.

Senator Bailey moved to table the amendment.

Yeas and nays were demanded and motion to table prevailed by the following vote:

Yeas—17.

Baugh.	Rice.
Bowers.	Ridgeway.
Clark.	Stuart.
Davis.	Watts.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.
Pollard.	

Nays—9.

Burkett.	Rogers.
Cousins.	Strong.
Fairchild.	Thomas.
Floyd.	Turner.
Lewis.	

Absent.

Bledsoe.

Absent—Excused.

Darwin.

(Pair Recorded.)

Senator Bailey (present), who would vote yea with Senator Doyle (absent), who would vote nay.

S. B. No. 80 on Third Reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House, was suspended, and S. B. No. 80 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bledsoe.

Absent—Excused.

Darwin.

Doyle.

The Chair then laid S. B. No. 80 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—17

Baugh.	Pollard.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Watts.
Holbrook.	Wirtz.
Murphy.	Wood.
Parr.	

Nays—7.

Bowers.	Rice.
Floyd.	Strong.
Lewis.	Turner.
McMillin.	

Absent.

Bledsoe.

Woods.

Witt.

Absent—Excused.

Darwin.

(Pair Recorded.)

Senator Bailey (present), who would vote yea with Senator Doyle (absent), who would vote nay.

S. B. No. 111 on Second Reading.

On motion of Senator Rogers, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 111 was put upon its second reading and passage to engrossment by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Davis.	Rogers.
Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Thomas.

Turner.  
Watts.  
Wirtz.

Witt.  
Wood.  
Woods.

Absent—Excused.

Darwin. Doyle.

The Chair then laid before the Senate, on its second reading,

S. B. No. 111, A bill to be entitled "An Act to amend Title 5, Article 30, paragraphs 15 and 59 of the Revised Civil Statutes of Texas of 1911, which article provides for judicial districts of the State; and which paragraph 15 defines the Fifteenth Judicial District and determines the date and length of term of such district court in Grayson County; and which paragraph 59 defines the Fifty-ninth Judicial District and determines the date and length of term of such district court in each of the counties of said district, namely, Grayson and Collin Counties; and which amendment provides for a change in the terms and time of holding court in each of said judicial districts, and declaring an emergency."

The bill was read second time.

On motion of Senator Rogers, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

S. B. No. 111 was then passed to engrossment.

#### S. B. No. 111 on Third Reading.

On motion of Senator Rogers, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 111 was put upon its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Darwin. Doyle.

The Chair then laid S. B. No. 111 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Darwin. Doyle.

#### H. B. No. 128 on Second Reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 128 was put upon its second reading and passage to engrossment by the following vote:

Yeas—28.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent—Excused.

Darwin. Doyle.

The Chair then laid before the Senate on its second reading,

H. B. No. 128, A bill to be entitled "An Act to amend Section 2 of Chap-

ter 146, Special Laws of the Thirty-third Legislature, Regular Session, 1913, relating to the powers and privileges of the Kyle Independent School District as amended by the Thirty-sixth Legislature, Regular Session, 1919, Chapter 35, Local and Special Laws; and declaring an emergency."

The bill was read second time.

On motion of Senator Wirtz, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

The bill was then passed to third reading.

#### H. B. No. 129 on Second Reading.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 129 was put upon its second reading and passage to engrossment by the following vote:

##### Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	

##### Absent.

Woods.

##### Absent—Excused.

Darwin.

Doyle.

The Chair then laid before the Senate, on its second reading,

H. B. No. 129, A bill to be entitled "An Act to amend Section 6 of Chapter 19, Special Laws of the Thirty-second Legislature, First Called Session, 1911; relating to the powers and privileges of the Budd Independent School District; and declaring an emergency."

The bill was read second time.

On motion of Senator Wirtz, the Senate rule requiring committee re-

ports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 129 was then passed to third reading.

#### S. B. No. 59 on Engrossment.

Senator Stuart called up S. B. No. 59, relating to creating an illiteracy commission, which was read the second time on May 8 and laid on the table subject to call.

The Chair laid the bill before the Senate, with amendment by Senator Stuart pending.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

##### Yeas—20.

Bailey.	Pollard.
Baugh.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Davis.	Strong.
Floyd.	Stuart.
Lewis.	Thomas.
McMillin.	Turner.
Murphy.	Witt.
Parr.	Wood.

##### Nays—4.

Clark.	Woods.
Watts.	

##### Present—Not Voting.

Cousins.

##### Absent.

Bledsoe.	Holbrook.
Fairchild.	

##### Absent—Excused.

Darwin.

##### (Pair Recorded.)

Senator Wirtz (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

Senator Lewis offered the following amendment to the bill:

Amend the amendment to S. B. No. 59, page 306, of the Senate Journal of May 8, 1923, by striking out Section 8 of said amendment and inserting in lieu thereof the following:

"Sec. 8. The Commission herein created shall exist for a period of two years and after the date that it becomes effective, at the end of which said two years the said Commission



shall expire unless otherwise extended by an Act of the Legislature."

The amendment was adopted.

Question: Shall the bill be passed to engrossment?

#### H. B. No. 41 on Second Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 41 was put upon its second reading and passage to third reading by the following vote:

Yeas—25.

Bailey.	Pollard.
Baugh.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Davis.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bledsoe.	Thomas.
Cousins.	

Absent—Excused.

Darwin.	Doyle.
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The Chair then laid before the Senate, on its second reading,

H. B. No. 41, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan Home; State Institution for Training of Juveniles; Girls' Training School; State Colony for Feeble-Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum;

State Home for Dependent and Neglected Children."

The bill was read second time.

On motion of Senator Wood, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report carrying a substitute bill and that it be not printed, was adopted.

H. B. No. 41 was then passed to third reading.

#### H. B. No. 41 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 41 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Baugh.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Absent.

Bledsoe.

Absent—Excused.

Darwin.	Doyle.
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The Chair then laid S. B. No. 41 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Bailey.	Parr.
Baugh.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Davis.	Stuart.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Wood.
Murphy.	Woods.

**Absent.**

Bledsoe. Witt.  
 Absent—Excused.  
 Darwin. Doyle.

**S. B. No. 110 on Second Reading.**

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 110 was put upon its second reading and passage to engrossment by the following vote:

**Yeas—27**

Bailey. Parr.  
 Baugh. Pollard.  
 Bledsoe. Rice.  
 Bowers. Ridgeway.  
 Burkett. Rogers.  
 Clark. Strong.  
 Cousins. Stuart.  
 Davis. Thomas.  
 Fairchild. Turner.  
 Floyd. Watts.  
 Holbrook. Wirtz.  
 Lewis. Wood.  
 McMillin. Woods.  
 Murphy.

**Absent.**

Witt.  
 Absent—Excused.  
 Darwin. Doyle.

The Chair then laid before the Senate, on its second reading,

S. B. No. 110, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than sixteen thousand five hundred nor more than seventeen thousand five hundred, according to the last United States census, and which have an area of not less than eleven hundred and fifty square miles nor more than twelve hundred square miles, and declaring an emergency."

The bill was read second time.

On motion of Senator Burkett, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

S. B. No. 110 was then passed to engrossment.

**S. B. No. 110 on Third Reading.**

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 110 was put upon its third reading and final passage by the following vote:

**Yeas—26**

Bailey. Parr.  
 Baugh. Pollard.  
 Bowers. Rice.  
 Burkett. Ridgeway.  
 Clark. Rogers.  
 Cousins. Strong.  
 Davis. Stuart.  
 Fairchild. Thomas.  
 Floyd. Turner.  
 Holbrook. Watts.  
 Lewis. Wirtz.  
 McMillin. Wood.  
 Murphy. Woods.

**Absent.**

Bledsoe. Witt.  
 Absent—Excused.  
 Darwin. Doyle.

The Chair then laid S. B. No. 110 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—22.**

Baugh. Murphy.  
 Bledsoe. Parr.  
 Bowers. Pollard.  
 Burkett. Rice.  
 Cousins. Rogers.  
 Davis. Strong.  
 Fairchild. Stuart.  
 Floyd. Thomas.  
 Holbrook. Turner.  
 Lewis. Wood.  
 McMillin. Woods.

**Absent.**

Bailey. Watts.  
 Clark. Wirtz.  
 Ridgeway. Witt.

**Absent—Excused.**

Darwin. Doyle.

**S. B. No. 58—Laid on the Table  
Subject to Call.**

On motion of Senator McMillin. S. B. No. 58 was laid on the table subject to call.

**Recess.**

On motion of Senator Woods, the Senate at 12:15 p. m. recessed until 2:30 p. m. today.

**Afternoon Session.**

The Senate met at 2:30 p. m., and was called to order by President Pro Tem Charles Murphy.

**Simple Resolution No. 35.**

By Senator Holbrook:

Resolved, That the Hon. George Sealy, an honored and respected son of Texas, and a life-long resident of Galveston, who is now in Austin, be invited to address the Senate, and given the privilege of the floor.

The resolution was read and adopted.

The Chair appointed Senators Holbrook, Bailey and Clark as a committee to escort Mr. Sealy to the President's stand.

**H. B. No. 20—Free Conference Committee Appointed.**

Senator Bowers moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 20.

The motion prevailed.

In accordance with the above action, the Chair appointed the following on the part of the Senate to serve on the Free Conference Committee on H. B. No. 20:

Senators Bowers, Baugh, Strong, Parr and Wirtz.

**H. B. No. 41—Free Conference Committee Appointed.**

Senator Wood moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 41.

The motion was adopted.

In accordance with the above motion, the Chair announced the ap-

pointment of the following committee on the part of the Senate:

Senators Wood, Witt, Lewis, McMillin and Ridgeway.

**S. B. No. 98 on Second Reading.**

On motion of Senator Davis, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 98, A bill to be entitled "An Act to amend Articles 4256 and 4257 of an Act entitled Guardian and Ward, Chapter 17, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, and validating the proceedings heretofore taken under Chapter 7, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended, qualifying such guardians, and sales of real estate heretofore made by such non-resident guardians, made in accordance with the provisions of Chapters 11 and 12, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended; and to repeal all laws in conflict herewith, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time.

Senator Davis offered the following amendment to the bill:

Amend S. B. No. 98, page 358 of Journal, Section 2, at end of fourth line by changing words and figure "Chapter 7" to "Chapter 17."

The amendment was adopted.

The bill was then passed to engrossment.

**S. B. No. 98 on Third Reading.**

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days in each House was suspended and S. B. No.

98 was put on its third reading and final passage by the following vote:

## Yeas—26.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Burkett.	Strong.
Clark.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

## Absent.

Cousins.	Lewis.
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## Absent—Excused.

Darwin.	Doyle.
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The Chair then laid S. B. No. 98 before the Senate on its third reading and final passage.

The bill was read third time and passed.

## S. B. No. 59 on Engrossment.

The Chair laid before the Senate as pending business on its passage to engrossment, S. B. No. 59, providing for the appointment of a Commission on Illiteracy in Texas, the same having been under consideration before the Senate recessed on this morning.

Senator Thomas offered the following amendment to the bill:

Amend S. B. No. 59 by striking out the enacting clause.

Senator Floyd offered the following amendment to the bill:

Amend the bill so as to provide that Miss Annie Cooke, C. C. C., be made the secretary of the Commission at a salary of \$3,000.00 per year.

On motion of Senator Stuart, the amendment by Senator Floyd was tabled.

Senator Stuart moved to table the amendment by Senator Thomas.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—16.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Burkett.	Stuart.
Davis.	Turner.
Lewis.	Witt.
Parr.	Wood.

## Nays—9.

Clark.	Strong.
Floyd.	Thomas.
Holbrook.	Watts.
McMillin.	Woods.
Murphy.	

## Absent.

Cousins.	Fairchild.
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## Absent—Excused.

Darwin.	(Pair Recorded.)
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Senator Wirtz (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

Senator Stuart moved the previous question on the engrossment of the bill, and the motion was seconded

Question: Shall the main question be now put?

Yeas and nays were demanded, and the motion was lost by the following vote:

## Yeas—12.

Bailey.	Rice.
Baugh.	Ridgeway.
Bledsoe.	Rogers.
Bowers.	Stuart.
Burkett.	Witt.
McMillin.	Wood.

## Nays—13.

Clark.	Pollard.
Davis.	Strong.
Fairchild.	Thomas.
Floyd.	Watts.
Holbrook.	Wirtz.
Murphy.	Woods.
Parr.	

## Absent.

Cousins.	Turner.
Lewis.	

## Absent—Excused.

Darwin.	Doyle.
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Senator Floyd holding the floor, Senator Stuart again moved the previous question and the motion was seconded.

Yeas and nays were demanded, and the main question was ordered by the following vote:

## Yeas—14.

Bailey.	Ridgeway.
Baugh.	Rogers.
Bledsoe.	Stuart.
Burkett.	Turner.
Davis.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.

## Nays—13.

Bowers.	Pollard.
Clark.	Rice.
Fairchild.	Strong.
Floyd.	Thomas.
Holbrook.	Watts.
Murphy.	Woods.
Parr.	

## Present—Not Voting.

Cousins.

## Absent—Excused.

Darwin.	Doyle.
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At the conclusion of Senator Floyd's remarks, the question then recurred on the passage of the bill to engrossment.

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

## Yeas—16.

Bailey.	Pollard.
Baugh.	Rice.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Burkett.	Stuart.
Fairchild.	Turner.
Lewis.	Witt.
Parr.	Wood.

## Nays—9.

Clark.	Strong.
Floyd.	Thomas.
Holbrook.	Watts.
McMillin.	Woods.
Murphy.	

## Absent.

Cousins.	Davis.
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## Absent—Excused.

Darwin.

(Pair Recorded.)

Senator Wirtz (present), who would vote yea; with Senator Doyle (absent), who would vote nay.

### S. B. No. 59—Motion to suspend the Constitutional Rule.

Senator Stuart moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that S. B. No. 59 be put upon its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths majority:

## Yeas—19.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Parr.
Pollard.	Rogers.
Rice.	Stuart.
Ridgeway.	Turner.
Bowers.	Wirtz.
Burkett.	Witt.
Davis.	Wood.
Fairchild.	

## Nays—8.

Clark.	Strong.
Floyd.	Thomas.
Holbrook.	Watts.
Murphy.	Woods.

## Absent.

Cousins.

## Absent—Excused.

Darwin.	Doyle.
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### S. B. No. 47 on Engrossment.

Senator Holbrook called up S. B. No. 47, relating to compensation of tax collectors for collecting motor fees, which was read second time on May 4, and laid on the table subject to call.

The Chair laid the bill before the Senate.

Senator Strong offered the following amendment to the bill:

Amend S. B. No. 47 by adding a new section:

"Provided that all fees collected under provisions hereof must be used to pay salaries for deputies and if any remains over such amount shall be reported as fees of office."

Senator Bailey offered the following substitute for the amendment:

Amend S. B. No. 47 by striking out of the bill and caption wherever they occur the figures "5000" and insert in lieu thereof the figures "2500."

On motion of Senator Strong the bill was laid on the table subject to call.

**H. B. No. 32—Set as Special Order.**

On motion of Senator Witt, H. B. No. 32 levying a tax on incomes, was made a special order for Friday afternoon, immediately after convening.

**S. B. No. 88 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 88, A bill to be entitled "An Act to repeal Section 23, Chapter 47, General Laws, passed at the Regular Session of the Thirty-second Legislature, requiring manufacturers of food and drugs doing business in the State of Texas, and all persons bringing into and offering for sale within this State any article of food or drug, to register their firm names and addresses with the Dairy and Food Commissioner and to pay a fee of one dollar for such registration; and to amend Section 4, of said Chapter 47, so as to include the word 'saccharin'; and declaring an emergency."

The bill was read second time, and passed to engrossment.

**S. B. No. 88 on Third Reading.**

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 88 was put upon its third reading and final passage by the following vote:

**Yeas—20.**

Bailey.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Fairchild.	Thomas.
Floyd.	Turner.
Lewis.	Watts.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

**Absent.**

Baugh.	Holbrook.
Bledsoe.	Strong.
Clark.	Stuart.
Davis.	Wirtz.

**Absent—Excused.**

Darwin.	Doyle.
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The Chair then laid S. B. No. 88 before the Senate on its third reading and final passage.

The bill was read third time and on motion of Senator Fairchild was laid on the table subject to call.

**S. B. No. 73 on Second Reading.**

On motion of Senator Pollard, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 73, A bill to be entitled "An Act relative to State parks; creating a State Parks Board to investigate prospective park sites in the State and report to the Legislature with recommendations; authorizing the board to solicit and accept donations of land for State park purposes; making an appropriation for expenses of the board; providing that localities may pay expenses of the board in visiting such locality to investigate and inspect land for park purposes; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

**S. B. No. 73 on Third Reading.**

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 73 was put upon its third reading and final passage by the following vote:

**Yeas—27.**

Bailey.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Clark.	Strong.
Cousins.	Stuart.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

**Absent.**

Baugh.

**Absent—Excused.**

Darwin.	Doyle.
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The Chair then laid S. B. No. 73 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 99 on Second Reading.

On motion of Senator Fairchild, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 99, A bill to be entitled "An Act to amend Chapter 2, Title 65, Revised Statutes of 1911, by adding thereto Article 4352a, pertaining to the registration of bonds and prescribing the duties with reference thereto of the Comptroller, his chief clerk and bond clerk, and validating registration of bonds heretofore registered; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

#### S. B. No. 99 on Third Reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 99 was put upon its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Nays—1.

Bowers.

Absent.

Stuart.

Absent—Excused.

Darwin.

Doyle.

The Chair then laid S. B. No. 99 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Davis.	Strong.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Nays—1.

Bowers.

Absent.

Baugh.

Stuart.

Bledsoe.

Present—Not Voting.

Darwin.

Doyle.

#### S. B. No. 69 on Second Reading.

On motion of Senator Witt, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 69, A bill to be entitled "An Act providing that where the State of Texas, through the Game, Fish, and Oyster Commissioner, has issued a permit to excavate and take from any island, reef, bar, lake, river, creek, bayou, or bay of this State marl, mud, shell, oyster shell, sand, and gravel, the State, at the request of the permit holder shall have the right and power to condemn land for the purpose of erecting dredges and necessary equipments, railroad spurs, and of opening roads and passage ways to said place of operations; and providing that the method of condemnation shall be the same as is now provided by law in case of railroads; providing that suit may be instituted by the Attorney General of Texas in the county where such permit is situated and the cost of same be paid by the permit holder or his assigns seeking condemnation; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

**S. B. No. 69 on Third Reading.**

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 69 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Absent.

Baugh.	Parr.
Bledsoe.	Stuart.

Present—Not Voting.

Darwin.	Doyle.
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The Chair then laid S. B. No. 69 before the Senate on its third reading and final passage.

The bill was read third time and passed.

**S. B. No. 103 on Second Reading.**

On motion of Senator Pollard, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 103, A bill to be entitled "An Act repealing Chapter 78 of the Special and Local Laws of the Thirty-eighth Legislature, passed at its Regular Session, being an Act creating the Brownsboro Independent School District in Henderson County, Texas and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

**S. B. No. 103 on Third Reading.**

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 103 was put upon its third reading

and final passage by the following vote:

Yeas—23.

Bailey.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Davis.	Strong.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Wood.
Murphy.	

Absent.

Baugh.	Witt.
Bledsoe.	Woods.
Stuart.	

Absent—Excused.

Darwin.	Doyle.
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The Chair then laid S. B. No. 103 before the Senate on its third reading and final passage.

The bill was read third time and passed.

**S. B. No. 93 on Second Reading.**

On motion of Senator Bowers, by unanimous consent, the regular order was suspended, and the Senate took up, out of its regular order,

S. B. No. 93, A bill to be entitled "An Act to authorize State of Texas to co-operate with other cotton producing states in the work of the Cotton States Commission; providing for the appointment of representation on said commission and other purposes."

The Chair laid the bill before the Senate, and it was read second time.

Senator Bowers offered the following amendments to the bill:

(1)

Amend S. B. No. 93, pages 292, 293 and 294, Section 9, of Senate Journal, by striking out figures and words, "Three Thousand Dollars (3,000.00)" and inserting therein the words and figures "Five Hundred Dollars (\$500.00)."

(2)

Amend S. B. No. 93, as printed in the Journal on page 292, by adding to the caption the following words: "and declaring an emergency."

(3)

Amend S. B. No. 93, as printed in



Senate Journal on page 293, Section 2, right hand column, lines 22 and 23, by striking out the words "an officer of the Department of Agriculture or of the agricultural extension service of said State," and inserting in lieu thereof the words, "the Director of the Experimental Department of this State."

(4)

Amend S. B. No. 93, as printed in the Journal on page 292, by adding to the caption the following words: "and declaring an emergency."

(5)

Amend S. B. No. 93, as printed in the Journal on page 295, by adding at the end of said bill a new section to be numbered Section 14:

"Sec. 14. The importance of this Act creates an emergency and an imperative necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and that this Act shall be in force and take effect from and after its passage, and said rule is hereby suspended, and it is so enacted."

The amendments were adopted.

S. B. No. 93 was then passed to engrossment.

#### S. B. No. 93 on Third Reading.

On motion of Senator Bowers, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 93 was put upon its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Rogers.
Cousins.	Strong.
Davis.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Baugh.	Stuart.
Bledsoe.	Wirtz.
Ridgeway.	

Absent—Excused.

Darwin.

Doyle.

The Chair then laid S. B. No. 93 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### H. B. No. 11 on Engrossment.

Senator Burkett called from the table, on its passage to engrossment,

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Section 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7688, 7689, 7691, 7692, 7696, 7699; repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911, and Section 3, Chapter 147, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature as amended by Section 2, Chapter 64, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature; adding to Chapter 13 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes; repealing all laws in conflict with the provisions of this Act; and declaring an emergency."

The bill was read second time on May 9, and laid on the table subject to call.

Question: Shall the bill be passed to third reading?

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

H. B. No. 41, A bill to be entitled  
"An Act making appropriations to pay  
the salaries of officers and employees  
of certain eleemosynary institutions  
of the State and other expenses of  
maintaining and conducting them for  
the two fiscal years beginning Sep-  
tember 1, 1923, and ending August  
31, 1925, as follows, to-wit: Con-  
federate Woman's Home; State Con-  
federate Home; State Lunatic  
Asylum; State Pasteur Institute;  
Southwestern Insane Asylum; North  
Texas Hospital for the Insane;  
East Texas Hospital for the Insane;  
State Epileptic Colony; State Orphan  
Home; State Institution for Training  
of Juveniles; Girls' Training School;  
State Colony for Feeble-Minded; State  
Tuberculosis Sanatorium; Hospital for  
Crippled Children; Deaf, Dumb and  
Blind Institute for Colored Youths;  
Northwest Texas Insane Asylum;  
State Home for Dependent and Neg-  
lected Children."

H. B. No. 150, A bill to be entitled  
"An Act creating the Indian Creek  
Independent School District in Rob-  
erts County, Texas, and defining its  
boundaries; providing for the crea-  
tion of a board of trustees to manage  
and control the public free schools  
within said district; their mode of  
election and tenure of office; confer-  
ring upon said trustees all the rights,  
powers and privileges and imposing  
all the duties now conferred and im-  
posed by the General Laws of the  
State upon independent school dis-  
tricts and the board of trustees;  
providing for the raising of reve-  
nues, issuing bonds, and levying,  
assessing and collecting taxes, for  
building and maintaining public  
free schools in said district; pro-  
viding for the appointment of a board  
of equalization; providing for the  
filling of vacancies of such board;  
for the election of superintendents  
and other employees, and the com-  
pensation of the members of said  
board; for a seal and its use and for  
the administration of oaths by the  
president and secretary; for the  
assessment and collection of taxes,

and the regulation of same, for the  
maturity and for a lien and foreclos-  
ure upon the property for taxes;  
adopting the provisions of existing  
and hereinafter enacted State laws;  
providing for all laws in conflict her-  
ewith are repealed and that invalidity  
of any portion hereof shall not impair  
the remainder of this Act."

H. B. No. 154, A bill to be entitled  
"An Act to amend Section 3 of House  
Bill No. 565, enacted by the Thirty-  
eighth Legislature at the Regular  
Session being an Act to recognize the  
Thirtieth and Sixteenth Judicial Dis-  
tricts, and to create the Ninety-second  
Judicial District, etc.," so as to revise  
the time and duties of holding the  
terms of court provided for in the  
counties of Cooke and Denton, com-  
prising the Sixteenth Judicial District,  
said Section 3, of said Act, hereafter  
to read as set out below; providing  
that all process and writs heretofore  
issued, and all recognizances and  
bonds heretofore made and executed  
and returnable to existing terms of  
the district courts in the counties  
composing said district, together with  
jurors heretofore selected are valid  
and returnable to the first term of  
such court after this Act takes effect,  
and providing for the continuation of  
the existing district courts in said  
counties in session when this Act  
takes effect to the ends of their  
terms; repealing all laws or parts of  
laws in conflict herewith, and declar-  
ing an emergency."

H. B. No. 165, A bill to be entitled  
"An Act to validate Simons Common  
School District No. 7 in Grayson  
County, Texas, as redefined and re-  
established by order of the county  
school trustees of Grayson County,  
Texas, on February 12, 1923, and  
Common County Line School District  
No. 8, as re-defined and re-established  
by an order of the county school trust-  
tees of Grayson County, Texas, on  
February 12, 1923, and by an order  
of the county school trustees of Col-  
lin County, Texas, on February 13,  
1923, and declaring an emergency."

H. B. No. 177, A bill to be entitled  
"An Act to regulate and supervise  
and prevent fraud in the sale, pur-  
chases and disposition in the State of  
Texas of stocks, stock certificates,  
bonds, debentures or other securities  
and the transaction of business in  
this State of persons, joint stock  
companies, brokers, agents, co-part-  
nerships or other companies, indi-

viduals or other organizations, offering for sale or selling in this State such securities, excepting companies incorporated under the laws of the State of Texas, granting additional authority and power to the Railroad Commission of Texas and placing the administration of this Act under its control and expervision; defining what shall constitute violations of this Act and fixing penalties and punishments therefor; making appropriations to carry out the provisions of this Act; specifying that this Act shall be known and cited as the 'Blue Sky Law of Texas'; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 178, A bill to be entitled "An Act creating Herring Hightower County Line Independent School District, embracing therein territory in Parker and Hood Counties; defining its boundaries and its powers and authority and providing for its organization under the general laws."

H. B. No. 181, A bill to be entitled "An Act validating Common School District No. 3 of Bailey County as defined and attempted to be created by the county board of school trustees of Bailey County on February 14, 1921, and validating all bond issues and special taxes which may have been voted by said district, and providing for an election to adjust all territory therein contained or which may have been added to said district by the said order, to taxes which may have been theretofore levied upon the property of said Common School District No. 3 and for an assumption by said common school district of the pro rata of taxes to which any territory added to said district by said order of February 14, 1921, may be subject by reason of any outstanding bond issue or issues previously voted by any school district or school districts of which such added territory may have theretofore formed part, and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district; limiting area to be furnished free transportation, and declaring an emergency."

H. B. No. 197, A bill to be entitled "An Act amending Section 8 of Chapter 44, Local and Special Laws of the Regular Session of the Thirty-eighth

Legislature of the State of Texas, creating the Southland Independent School District in the counties of Garza, Lynn and Lubbock in the State of Texas, so as to change said section of said law to provide for the issuance of bonds for building purposes in said district to bear interest not to exceed 6 per cent per annum, and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act amending House Bill No. 616, enacted into law at the Regular Session of the Thirty-Eighth Legislature, by which Union Hill Independent School District in Swisher County was created, so as to increase the territory contained in said district and defining the boundary thereof; defining more fully the powers of said district and the board of trustees; providing for the continuing in office of the trustees of Union Hill Consolidated Common School District in Swisher County as trustees of this, its immediate succeeding district; providing for an election to adjust all territory contained in said district as herein created, which may have been added to the district or to Union Hill Consolidated Common School District, to adjust any school bond taxes or special school taxes theretofore voted by Union Hill Consolidated Common School District, and for the assumption by said Union Hill Independent School District of its pro rata of taxes payable by any added territory on account of any outstanding bond issues existing against school districts or which such added territory may have heretofore formed a party; providing for the adding of additional territory by the trustees of said district, and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act enlarging Woodson Independent School District of Throckmorton and Stephens Counties; defining the boundaries and prescribing the powers thereof; and for the assumption by said district of the bonded indebtedness now existing against the present Woodson Independent School District and for adjusting the territory of said district as enlarged to such special taxes as may have been voted by the present said district."

H. B. No. 215, A bill to be entitled "An Act validating Common School District No. 11, Bailey County, and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act to create the Tarpley Independent School District in Bandera

County, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this Act, and declaring an emergency."

H. B. No. 115, A bill to be entitled "An Act providing for the collection of delinquent taxes of levee improvement districts; providing a method of procedure therefor, and declaring an emergency."

H. B. No. 116, A bill to be entitled "An Act creating the Rock Springs Independent School District in Edwards County, Texas; defining its metes and bounds, providing a board of trustees therefor, for raising revenue, issuing bonds, vesting it with the rights, powers and duties of districts incorporated for school purposes only under the General Laws of the State of Texas; providing for an election to assume the outstanding bonds of the Rocksprings Common School District, and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act to amend Section 2 of Chapter 146, Special Laws of the Thirty-third Legislature, Regular Session, 1913, relating to the powers and privileges of the Kyle Independent School District as amended by the Thirty-sixth Legislature, Regular Session, 1919, Chapter 35, Local and Special Laws, and declaring an emergency."

H. B. No. 129, A bill to be entitled "An Act to amend Section 6 of Chapter 19, Special Laws of the Thirty-second Legislature, First Called Session, 1911; relating to the powers and privileges of the Buda Independent School District, and declaring an emergency."

H. B. No. 222, A bill to be entitled "An Act creating and establishing the Lindsey County Independent School District in Lubbock and Hockley Counties, Texas; defining its boundaries; providing for the election of boards of trustees to manage and control the schools of said district; authorizing said district to issue bonds, and to assume the payment

of parts of the outstanding indebtedness against the school district affected by this Act; and investing said district with the rights, powers, privileges and duties of independent school districts organized or existing under general laws of the State, and declaring an emergency."

H. B. No. 132, A bill to be entitled "An Act to incorporate Farmersville Independent School District in Collin County, Texas, for free school purposes only; defining its boundaries; divesting the city of Farmersville of the control of its public free schools and of its school property and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools inure to the benefit of said independent school district and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said independent school district, and declaring an emergency."

H. B. No. 133, A bill to be entitled "An Act to create the Plano Independent School District in Collin County, Texas, including the present Plano Independent School District and the Finger-ring Common School District of said county; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges, and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Plano Independent School District shall continue to act as such until their successors are elected as provided herein; divesting the city of Plano of the control of the public schools of the district, as created by this Act, and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act creating the Balmorhea Independent School District in Reeves County, Texas; defining its boundaries, including the present Common School District No. 4; providing for a board of trustees in said district, conferring upon said district and its

board of trustees all the rights powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said districts shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in La Loma Common School District No. 4; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

H. B. No. 139. A bill to be entitled "An Act to amend Section 2 of House Bill No. 606 of the Laws passed at the Regular Session of the Thirty-eighth Legislature, 1923, by changing the time and terms of holding court in the Sixty-third Judicial District so that Section 2 of said Act shall hereafter read as follows, and declaring an emergency."

H. B. No. 141. A bill to be entitled "An Act authorizing and empowering the city of Perryton, in Ochiltree County, Texas, to close certain streets; to narrow and reduce in width certain other streets; to, by ordinance, make provision for settlement and adjustment of property rights with owners of property adjacent to and affected by said changes, and validating all ordinances by said city heretofore passed in connection therewith."

H. B. No. 144. A bill to be entitled "An Act creating the Hopewell Independent School District in Smith County, Texas; defining its boundaries, including the present Common School District No. 24; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding

bonded indebtedness heretofore voted in Hopewell Common School District No. 24; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

H. B. No. 218. A bill to be entitled "An Act creating Westover Independent School District of Baylor County; defining the powers of said district; providing for the organization of said district; providing for the election to determine whether the several outstanding obligations which may exist against the several portions of territory embraced in this district shall be assumed in whole and pro rata by this district and taxes levied upon the property of this district to provide for such indebtedness and the pro rata thereof, and declaring an emergency."

S. B. No. 68. A bill to be entitled "An Act creating and incorporating Pansy Independent School District in Crosby County, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Pansy Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Pansy Common School District No. 15, in Crosby County; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 15; providing that title to all property now vested in Pansy Common School District No. 15 shall, on the passage of the Act vest in Pansy Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the General Laws of Texas relating to Independent school districts in matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this Act shall not invalidate any remaining portion or provision, and declaring an emergency."

S. B. No. 72, A bill to be entitled "An Act to relieve certain schools and school districts of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of schoolhouse bonds or the levying of special taxes for any lawful school purposes, validating such bond issues and taxed; and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act creating and defining the Ringgold Independent School District, Montague County, Texas, out of the territory known as Ringgold Independent School District in Montague County, Texas, for free school purposes only, and defining its boundaries; providing for the extension of its boundaries; repealing Chapter 44, House Bill No. 540, Local and Special Laws, Thirty-sixth Legislature, passed at its Regular Session; vesting the Ringgold Independent School District, Montague County, Texas, with the exclusive control of its public free school, and vesting the title to all property in said district; providing for the present trustees to continue in office for the term to which elected, and conferring upon the board plenary powers; providing for the levying, assessing and collecting of taxes for the maintenance of public free schools in said district; providing authority to appoint a board of equalization in said district, and defining its duties and powers; providing authority for the board of trustees to issue bonds for the purpose of purchasing school buildings, sites, and erecting and equipping school buildings within said district, and to levy taxes therefor; providing means by which the collection of delinquent taxes may be facilitated; providing that the bonds heretofore issued by the Ringgold Independent School District shall be a charge against the district herein created; and that all outstanding indebtedness owing by the said district shall likewise be charged against the district herein created; providing for the repeal of all laws in conflict with any provision hereof, and further providing that if any section or part hereof is at any time declared to be unconstitutional, it should not affect the other provisions hereof, and declaring an emergency."

H. B. No. 79, A bill to be entitled

"An Act creating the Montague Independent School District in Montague County, Texas; defining its boundaries, including the Montague Independent School District No. 7, divesting Montague Independent School District No. 7 of title to all school property in said district, and vesting the same in the Montague Independent School District and its board of trustees; conferring upon said district and its board of trustees all the right, power, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act creating, establishing, incorporating Common School District No. 17 in Hidalgo county, Texas, containing a portion of the territory in Hidalgo county, Texas, heretofore embraced in Common School District No. 15; describing the metes and bounds thereof; placing said Common School District No. 17 under the jurisdiction of Hidalgo county; providing for the selection of a board of trustees by the Hidalgo County board of trustees, to hold office until the next regular election, and providing for the election of trustees thereafter; vesting said district and board of trustees with all the school affairs therein as conferred and imposed by general laws upon common school districts and boards of trustees thereof, organized under the General Laws of Texas; vesting the school property situated in said common School District No. 17 and all uncollected taxes, claims and causes of action, legally or equitably belonging to Common School District No. 15 within the territory embraced herein and validating and confirming same in Common School District No. 17; providing for the assumption by Common School District No. 17 of its pro rata share based upon the value that the lands herein embraced now bear to the aggregate value of all lands formerly comprising Common School District No. 15, of certain bonded indebtedness existing against said common School District No. 15; providing that the enactment of this law shall not invalidate any local school taxes heretofore voted and now in force in the territory herein incorporated, and ratifying, confirming and adopting

as valid and subsisting against this district any such taxes; repealing all laws in conflict herewith; making this Act cumulative of the General Laws of the State of Texas, and declaring an emergency."

H. B. No. 109, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on refining, compounding, manufacturing, blending or preparing gasoline or gasoline substitutes from petroleum or natural gas measured by intrastate sales; and levying a State occupation tax on intrastate selling of gasoline or gasoline substitutes brought into the State from outside the State based on the first intrastate sale thereof after the same is brought into the State; requiring reports to be made, and records to be kept and permitting inspections thereof by proper public officials, and prescribing penalties for failure to comply with the Act in order to facilitate collection of such occupation taxes; providing for interest on delinquent taxes and penalties; making disposition of the taxes after collected; providing for suits for taxes, penalties and interest and compensation of officers bringing same; defining gasoline; declaring the legislative intent as to parts of the Act being held invalid; repealing the present gasoline occupation tax law; defining 'person' as used in this Act, and declaring an emergency," with engrossed rider.

S. B. No. 34, A bill to be entitled "An Act amending Section 22 of the Special Road Law of Brazoria County, the same being an Act of the Thirty-third Legislature of the State of Texas, Local and Special Laws of the State of Texas, passed at the Regular Session in 1913, Chapter 63, page 219, by adding Section 22a, which provides for the construction of roads designated as State highways, either within the district or without the district furnishing the money, but not more than one-fourth mile from such district, providing for the procuring of right of way for drainage and construction of drainage of such roads, providing for the control of the construction by the commissioners' court of Brazoria County, and for the payment out of fund of the road district where the items of expense and contracts have been approved in writing by the commissioners of the road district furnishing the money; and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act creating the Bernardo Independent School District in Colorado County, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; naming the fiscal year as to taxes; providing for the annexation of territory to said district; investing said district with all the powers, rights, and duties of independent school districts formed for free school purposes only, and declaring an emergency."

H. B. No. 236, A bill to be entitled "An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies, and other chartered transportation companies, or persons or associations of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employees to issue free transportation to ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency."

S. B. No. 45, A bill to be entitled "An Act regulating motor trucks and jitney lines operating for hire on public roads and authorizing street, suburban railway companies to operate motor trucks or jitney lines for transportation of passengers for hire in incorporated cities and towns subject to regulations by such cities or towns and within five miles thereof under regulation by commissioners' court of the county, and declaring an emergency."

S. B. No. 67, A bill to be entitled "An Act amending Section 9 of Chapter 31, Local and Special Laws of the State of Texas, passed at the First Called Session of the Thirty-seventh Legislature, by changing and increasing the rate of interest which the coupon bonds of the New Home Independent School District of Crosby County, Texas, issued for building purposes and for equipping said buildings, may bear; by providing that the trustees of said district shall have power to levy and collect a tax of not exceeding fifty cents on the one hundred dollars of taxable property within said district for the purpose of erecting, constructing, repairing and equipping, or either, of public free school buildings within the limits of said district and of purchasing sites therefor; validating a bond issue of \$8,000.00 heretofore voted in said district and validating all proceedings in connection

with such bond election; and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act creating Velehrad County Line Common School District composed of territory in Lavaca and Fayette Counties, to be under the jurisdiction of Lavaca County for all school purposes, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within its boundaries, providing that the local maintenance tax now levied in each portion of said district shall not be abrogated by the passage of this Act, providing that same shall continue to be assessed, levied and collected until said district holds an election to determine its rate of taxation, if any; providing that said Velehrad County Line Common School District shall be governed by the General Laws of Texas relating to such districts, when not in conflict with this Act; providing that the board of trustees now in authority in the Velehrad Common School District of Lavaca County, Texas, shall continue in authority for the Velehrad County Line Common School District until the next election for school trustees, as provided by law for such districts, when two of their successors shall be elected, and that an election be thereafter held each year, as provided by the law for such districts, when two of their successors shall be elected, and that an election be thereafter held each year, as provided by the General Laws of this State, and declaring an emergency."

S. B. No. 56, A bill to be entitled "An Act to amend an Act entitled 'An Act creating and incorporating the Humble Independent School District in Harris County, out of the territory now composing Common School District No. 50, of said county, providing that the title of the school property vested in Common School District No. 50 shall vest in said Humble Independent School District and that said independent school district assume the debts of said Common School District No. 50; providing for a board of trustees of said Humble Independent School District; providing the time and manner of their election; defining their powers and duties, and declaring an emergency,' approved February 18, 1919, said Act as amended creating the Humble Independent School District and defining its boundaries; providing for the annexing of additional territory and the manner of annexing

same; providing for the creation of a board of trustees of said independent school district, and defining their qualifications, powers and duties; providing that the members of the board of trustees of the Humble Independent School District as at present constituted shall continue in office, and defining their powers and duties; vesting in the board of trustees corporate powers and giving said independent school district, through its trustees, the power to make contracts, to be a party to actions in court; authorizing the trustees of said Independent School District to receive gifts, grants, conveyances, donations, legacies, and devises for the use of the public free schools in said independent school district; authorizing the trustees of said independent school district to borrow money for school purposes and secure the same, and limiting the amount that may be borrowed; providing for filling vacancies on said board of trustees, for the administration of oaths or affirmations by the president and secretary; providing for a seal and its use; conferring upon said board of trustees plenary powers; providing for the election of trustees, the manner and time of holding said election, and prescribing the tenure of office of said trustees; providing for a board of equalization and prescribing the duties and powers of said board of equalization; providing for the removal of members of the board of trustees for misconduct; providing for the keeping of a record of the proceeds of said board of trustees for public inspection; providing for an audit of the books of accounts of said board of trustees and its publication; authorizing said board of trustees to levy and collect taxes, and regulating the same; providing for tax elections, the time and notice of same; providing when taxes levied and assessed under this Act shall be due and payable; providing when the available school fund heretofore or hereafter apportioned to the schools within said district shall be paid; vesting title to property within said district, including any and all funds on hand belonging to the public schools within said district in the board of trustees; providing that the Attorney General of the State shall certify to the validity of bonds authorized by this Act; providing for the assumption of debts of Common School District No. 50, and of the Humble Independent School District created by Chapter 13 of the Special Laws of



the Thirty-sixth Legislature; validating the official acts and proceedings of the board of trustees of the Humble Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature; providing that this Act shall be a public act of which the courts shall take judicial notice; vesting in said board of trustees all powers, and charging it with all the duties imposed by the General Laws now in force or hereafter enacted governing independent school districts; providing that the independent school district created by this Act shall succeed to the independent school district created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature, and to all legal and valid obligations of said district or board thereof, and providing for the payment of said obligation; repealing all laws in conflict herewith, and providing that the invalidity of any portion hereof shall not impair the remainder of the Act, and declaring an emergency."

The House refuses to concur in Senate amendments to H. B. No. 20 and requests the appointment of a Free Conference Committee to adjust the difference. The following committee is appointed on part of the House: Abney, Crawford, Gipson, Patterson and Burmeister.

H. B. No. 148, A bill to be entitled "An Act creating the Darrouzett Independent School District in Lipscomb County; defining its boundaries to be the same as of Common School District No. 20; providing for a board of trustees for said district; conferring upon said district and its board of trustees all the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees of said Common School District No. 20 shall continue in office until the next regular election, as provided for under the General Laws, or until their successors are elected and qualified; declaring the maintenance tax and the bond tax heretofore authorized in said Common School District No. 20 to be valid and binding upon said independent school district; providing for an assessor and collector of taxes for said district, and fixing his powers, duties, bond and compen-

sation; providing for the levying, assessing and collecting of taxes for the current year, and annually thereafter; providing that all bonds, obligations, contracts and indebtedness legally existing against Common School District No. 20 are imposed upon the Darrouzett Independent School District; providing for the collection of taxes by the county tax assessor and collector; applying the General Laws when a matter is not expressly provided for by this Act, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act authorizing the commissioners court of Floyd County to validate the sale of a certain block of land in the county of Floyd, in this State, known as 211 acres out of Section No. 89, Block 1, A., B. & M. Cert. No. 1497, and shown on the official map of Floyd County; authorizing the commissioners' court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency."

H. B. No. 233, A bill to be entitled "An Act to create the Double Horn Independent School District in Burnet County, including the present Double Horn District No. 32 of the said county; providing a board of trustees therefor, vesting said independent district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Double Horn District No. 32 shall continue to act as such until their successors are elected in accordance with the General Laws of Texas, and declaring an emergency."

House refuses to concur in Senate amendments to H. B. No. 41 and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Beasley, Irwin, Dunn, Simpson and Loftin.

H. B. No. 239, Creating the Comstock Independent School District.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

**Bills Read and Referred.**

The Chair (President Pro Tem Charles Murphy) had referred, after their captions had been read, the following House Bills:

H. B. No. 236, referred to Committee on Civil Jurisprudence.

H. B. No. 109, referred to Committee on State Affairs.

H. B. No. 78, referred to Committee on Educational Affairs.

H. B. No. 79, referred to Committee on Educational Affairs.

H. B. No. 83, referred to Committee on Educational Affairs.

H. B. No. 113, referred to Committee on Educational Affairs.

H. B. No. 115, referred to Committee on Mining, Irrigation and Drainage.

H. B. No. 116, referred to Committee on Educational Affairs.

H. B. No. 128, referred to Committee on Educational Affairs.

H. B. No. 129, referred to Committee on Educational Affairs.

H. B. No. 132, referred to Committee on Educational Affairs.

H. B. No. 133, referred to Committee on Educational Affairs.

H. B. No. 135, referred to Committee on Educational Affairs.

H. B. No. 139, referred to Committee on Judicial Districts.

H. B. No. 141, referred to Committee on Towns and City Corporations.

H. B. No. 144, referred to Committee on Educational Affairs.

H. B. No. 150, referred to Committee on Educational Affairs.

H. B. No. 154, referred to Committee on Judicial Districts.

H. B. No. 177, referred to Committee on Criminal Jurisprudence.

H. B. No. 205, referred to Committee on Educational Affairs.

H. B. No. 215, referred to Committee on Educational Affairs.

H. B. No. 213, referred to Committee on Educational Affairs.

H. B. No. 218, referred to Committee on Educational Affairs.

H. B. No. 222, referred to Committee on Educational Affairs.

H. B. No. 197, referred to Committee on Educational Affairs.

H. B. No. 190, referred to Committee on Educational Affairs.

H. B. No. 181, referred to Committee on Educational Affairs.

H. B. No. 178, referred to Committee on Educational Affairs.

H. B. No. 165, referred to Committee on Educational Affairs.

H. B. No. 41, referred to Committee on Finance.

H. B. No. 148, referred to Committee on Educational Affairs.

H. B. No. 230, referred to Committee on Public Land and Land Office;

H. B. No. 233, referred to Committee on Educational Affairs.

H. B. No. 239, referred to Committee on Educational Affairs.

**Bills Signed.**

The Chair (President Pro Tem Charles Murphy) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 44.

S. C. R. No. 14.

S. B. No. 54.

H. B. No. 108

H. B. No. 69.

H. C. R. No. 9.

H. C. R. No. 10.

**Adjournment.**

Senator Wood moved that the Senate adjourn until 9:30 a. m. tomorrow.

On motion of Senator Clark, the Senate at 5:25 p. m. adjourned until 10 o'clock a. m. tomorrow.

**APPENDIX.****Committee Reports.**

Senate Chamber.

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 74 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 63 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 98 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 59 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 87 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 80 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 110 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 111 carefully compared and find same to be correctly engrossed.

STRONG, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on En-

rolled Bills, have carefully compared S. C. R. No. 14, and find the same correctly enrolled and have this day at 11:05 o'clock a. m. presented the same to the Governor for his approval.

RICE, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 44, and find the same correctly enrolled and have this day at 11:05 o'clock a. m. presented the same to the Governor for his approval.

RICE, Vice-Chairman.

Senate Chamber,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Bill No. 54, and find the same correctly enrolled and have this day at 11:05 o'clock a. m. presented the same to the Governor for his approval.

RICE, Vice-Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 111, A bill to be entitled "An Act to amend Title 5, Article 30, paragraphs 15 and 59, of the Revised Civil Statutes of Texas of 1911, which article provides for judicial districts of the State; and which paragraph 15 defines the Fifteenth Judicial District and determines the date and length of term of such district court in Grayson County; and which paragraph 59 defines the Fifty-ninth Judicial District and determines the date and length of term of such district court in each of the counties of said district, namely, Grayson and Collin Counties; and which amendment provides for a change in the terms and the time of holding court in each of said judicial districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass and be not printed.

POLLARD, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 104, A bill to be entitled "An Act authorizing steam or electric railway companies, street railway companies, interurban railway companies, sleeping car companies and other chartered transportation companies, or persons or association of persons operating the same, or the receivers or lessees thereof, or their officers, agents or employees, to issue free transportation to ministers of religion in this State when making intrastate trips; defining ministers of religion, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 108. A bill to be entitled "An Act to facilitate the marketing and distribution of the natural resources of the State, and the products manufactured therefrom, by extending the right of condemnation to certain corporations, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 110, A bill to be entitled

"An Act relating to the compensation of county commissioners in counties having a population of not less than sixteen thousand five hundred, nor more than seventeen thousand five hundred, according to the last United States Census, and which have an area of not less than eleven hundred and fifty square miles nor more than twelve hundred square miles, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed, not being a local bill.

BURKETT, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 41, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1st, 1923, and ending August 31st, 1925, as follows, to wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylums; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane, State Epileptic Colony; State Orphans Home; State Institutions for Training of Juveniles; Girls Training School; State Colony for Feeble Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for the Dependent and Neglected Children."

Have had the same under consideration, and I am requested by the committee to report the same back to the Senate with the recommendation that it do not pass, but that the committee substitute do pass and be not printed, being the same as S. B. No. 8.

WOOD, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 129, An Act to amend Section 6 of Chapter 19, Special Laws of the Thirty-second Legislature, First Called Session, 1911, relating to the powers and privileges of the Budd Independent School District; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 128, A bill to be entitled "An Act to amend Section 2 of Chapter 146, Special Laws of the Thirty-third Legislature, Regular Session, 1913, relating to the powers and privileges of the Kyle Independent School District as amended by the Thirty-sixth Legislature, Regular Session, 1919, Chapter 35, Local and Special Laws; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 95, A bill to be entitled "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911, relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State Permanent School Fund by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740-A and validating the purchase of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the payment of the first installment thereon and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on certain interest coupons by reason of defer-

red payments of the purchase price thereof and limiting the provisions of this Act to bonds purchased subsequent to September 1, 1920; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with recommendation that it do pass and be printed in the Journal.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 115, A bill to be entitled "An Act providing for the collection of delinquent taxes of levee improvement districts; providing a method of procedure therefor; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed, as Senate Bill on the same subject has already been printed.

BLEDSON, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 177, A bill to be entitled "An Act to regulate and supervise and prevent fraud in the sale, purchase and disposition in the State of Texas of stocks, stock certificates, bonds, debentures or other securities and the transaction of business in this State of persons, joint stock companies, brokers, agents, co-partnerships, or other companies, individuals or other organizations offering for sale or selling in this State such securities, excepting companies incorporated under the laws of the State of Texas, granting additional authority and power to the Railroad Commission of Texas and placing the administration of this Act under its control and supervision; defining what shall constitute violations of this Act and fixing penalties and punishment therefor;

making appropriations to carry out the provisions of this Act; specifying that this Act shall be known and cited as the "Blue Sky Law of Texas;" repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do not pass, but that the committee substitute do pass and be printed in the Journal and not otherwise.

Turner, Chairman; Witt, Baugh, Ridgeway, Parr, Davis, Pollard, Strong, Woods.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 154, A bill to be entitled "An Act to amend Section 3 of House Bill No. 565, enacted by the Thirty-eighth Legislature at the Regular Session, being 'An Act to reorganize the Thirtieth and Sixteenth Judicial Districts, and to create the Ninety-seventh Judicial District, etc.," so as to revise the time and dates of holding the terms of court provided for in the counties of Cook and Denton, comprising the Sixteenth Judicial District, said Section 3, of said Act hereafter to read as set out below; providing that all process and writs heretofore issued, and all recognizances and bonds heretofore made and executed and returnable to existing terms of the district courts in the counties composing said district, together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the ends of their terms, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

POLLARD, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 12, A bill to be entitled "An Act providing for uniformity and equalization of taxation; conferring upon the State Tax Board general supervision over the administration of the laws relating to taxation and over assessors and collectors of taxes and county commissioners' court sitting as boards of equalization, to the end that assessments of all classes of property for purposes of State taxation shall be made relatively just and equal in the several counties of the State; providing for the review by such State Tax Board of the aggregate assessments of the various classes of property in the several counties and empowering it to raise or lower the valuation of any and all classes of property in any county or counties for purpose of State taxation; prescribing the duties of tax assessors and collectors and the county judge and county commissioners with reference to equalization for purposes of State taxes; providing for a hearing and notice before fixing valuations by the State Tax Board; providing for a hearing and notice by the county board of equalization before carrying into effect the orders of the State Tax Board with reference to valuations; authorizing the county commissioners' court to adopt the valuation fixed in compliance with the orders of the State Tax Board for purposes of taxes other than State taxes and permitting it to adopt a different valuation for purposes of State taxes if it elects to do so; enacting provisions necessary and incident to the subject and purpose of the Act; amending Articles 7580 and 7350 of the Revised Civil Statutes of Texas; making the necessary changes in the laws relating to the duties of tax assessors, tax collectors and county boards of equalization, and specifying and fixing dates for the performance thereof, so as to carry into effect the provisions of the Act; requiring the tax collector in assessing taxes under provisions of law authorizing him to do so to conform to the orders and in-

structions of the State Tax Board, and making it unlawful for tax collectors to collect any State taxes or other taxes until there has been delivered to them a tax roll in which the State taxes show to have been extended on valuations complying with the orders of the State Tax Board; providing for mandamus suits by the State Tax Board and prescribing procedure therein and rules governing appeals therefrom; extending time for payment of taxes without penalty if rolls are not completed by the end of the year; authorizing the State Tax Board to prescribe forms, and to require the descriptions of real estate, and to require that improvements be listed separately from lands and lots on which they are situated in making assessments; providing for the removal of any member of the State Tax Board, assessor or collector of taxes or county judge or county commissioner who shall wilfully fail or refuse to comply with the provisions of the Act; declaring the rule of construction in case of invalidity of any provision of the Act; providing the time when the Act shall take effect, and repealing all laws or parts of laws in conflict therewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass  
WITT, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred H. B. No. 12, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal and not otherwise.

Baugh, Stuart, Ridgeway, Davis.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 109, A bill to be entitled "An Act levying and providing for the payment of a State occupation

tax on refining, compounding, manufacturing, blending or preparing gasoline or gasoline substitutes from petroleum or natural gas measured by intrastate sales; and levying a State occupation tax on intrastate selling of gasoline or gasoline substitutes brought into the State from outside the State based on the first intrastate sale thereof after the same is brought into the State; requiring reports to be made, and records to be kept and permitting inspections thereof by proper public officials, and prescribing penalties for failure to comply with the Act in order to facilitate collection of such occupation taxes; providing for interest on delinquent taxes and penalties; making disposition of the taxes after collected; providing for suits for taxes, penalties and interest and compensation of officers bringing same; defining gasoline; declaring the legislative intent as to parts of the Act being held invalid; repealing the present gasoline occupation tax law; defining 'person' as used in this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal and not otherwise.

WITT, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 78, A bill to be entitled "An Act to amend Article 7508, of Chapter 11, Title 126, and Articles 7547, 7548, and 7551, and to repeal Articles 7549 and 7550 of Chapter 12, Title 126, of the Revised Civil Statutes of 1911, pertaining to the valuation, rendition and assessment of property to and by the county tax assessor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal and not otherwise.

WITT, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on State  
Affairs, to whom was referred

S. B. No. 81, A bill to be entitled  
"An Act to authorize and empower  
the Railroad Commission of Texas,  
upon complaint and after hearing, to  
award damages to shippers of goods,  
wares and merchandise between  
points in Texas where the Railroad  
Commission finds that the railroad,  
or other common carrier subject to  
the jurisdiction of the Commission,  
transporting such freight has  
charged unjust and unreasonable  
rates therefor; providing for suits in  
courts of competent jurisdiction to  
enforce the damage found by the  
Railroad Commission upon failure  
or refusal of the railroad or other  
common carrier to pay to the  
shipper the award so found; pro-  
viding for reasonable attorney's fees  
in such suits where shippers pre-  
vail; providing that this Act shall  
be cumulative of other laws regulat-  
ing railroads and other common  
carriers and conferring jurisdiction  
upon the Railroad Commission, ex-  
cept in case of conflict; providing  
that one Commissioner, or a desig-  
nated examiner, may hold all hear-  
ings and make a record thereof,  
upon which record the Commission  
may make its findings; providing that  
in the event any section of this Act  
shall be declared unconstitutional  
that such finding shall not affect the  
remainder of the Act, and declaring  
an emergency."

Have had the same under consid-  
eration and I am instructed to report  
it back to the Senate with the recom-  
mendation that it do pass and be  
printed in the Journal and not other-  
wise.

WITT, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on State  
Affairs, to whom was referred

S. B. No. 96, A bill to be entitled  
"An Act to create a Committee on  
Economy to direct an inquiry into  
the organization, structure, and the  
manner and methods of administra-

tion of the various executive agen-  
cies of the State government, includ-  
ing all offices, boards, commissions  
and institutions and to make recom-  
mendations to the Thirty-ninth Leg-  
islature concerning same; providing  
for the appointment of members  
from the House and Senate; setting  
forth the powers of said committee;  
making an appropriation; and de-  
claring an emergency."

Have had the same under consid-  
eration, and I am instructed to report  
the same back to the Senate with the  
recommendation that it do pass, and  
be printed in the Journal and not  
otherwise.

WITT, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the  
Senate.

Sir: We, your Committee on Agri-  
cultural Affairs, to whom was re-  
ferred

S. B. No. 112, A bill to be entitled  
"An Act to define what shall  
constitute a unit of weight or  
measure of all commodities purchased  
or sold by length, weight or measure;  
providing for the sale of commodities  
by State standards of weight or meas-  
ure; providing for the sale of hay by  
weight; establishing a standard for  
bread sold in loaves; providing penal-  
ties for the enforcement of this law;  
repealing certain statutes and declar-  
ing an emergency."

Have had same under consideration  
and I am instructed to report it back  
to the Senate with the recommenda-  
tion that it do pass and be printed in  
the Journal.

COUSINS, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of  
the Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was referred

H. B. No. 236, A bill to be entitled  
"An Act authorizing steam or elec-  
tric railway companies, interurban  
railway companies and other char-  
tered transportation companies, or  
persons or corporations of persons  
operating the same, or the receivers  
or lessees thereof, or their officers,  
agents or employees, to issue free  
transportation to ministers of re-  
ligion in this State when making  
intrastate trips; defining ministers



of religion; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, as S. B. No. 104 on the same subject has been ordered printed in the Journal.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

H. B. No. 83, A bill to be entitled "An Act creating, establishing and incorporating Common School District No. 17 in Hidalgo County, Texas, containing a portion of the territory in Hidalgo County, Texas, heretofore embraced in Common School District No. 15, describing the metes and bounds thereof, placing said Common School District No. 17 under the jurisdiction of Hidalgo County; providing for the selection of a board of trustees by the Hidalgo County Board of trustees, to hold office until the next regular election, and providing for the election of trustees thereafter; vesting said district and board of trustees with all the school affairs therein as conferred and imposed by general laws upon common school districts and boards of trustees thereof, organized under the General Laws of Texas; vesting the school property situated in said Common School District No. 17 and all uncollected taxes, claims and causes of action, legally or equitably belonging to Common School District No. 15, within the territory embraced herein and validating and confirming same in Common School District No. 17; providing for the assumption by Common School District No. 17 of its pro rata share based upon the value that the lands herein embraced now bear to the aggregate value of all lands formerly comprising Common School District No. 15 of certain bonded indebtedness existing against said Common School District No. 15; providing that the enactment of this law shall not invalidate any local school taxes heretofore voted and now in force in the territory herein incorporated, and ratifying, confirming

and adopting as valid and subsisting against this district, any such taxes; repealing all laws in conflict herewith, making this Act cumulative of the General Laws of the State of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 205, A bill to be entitled "An Act amending House Bill No. 616, enacted into law at the Regular Session of the Thirty-eighth Legislature by which Union Hill Independent School District in Swisher County was created so as to increase the territory contained in said district and defining the boundaries thereof; defining more fully the powers of said district and its board of trustees; providing for the continuing in office of the trustees of Union Hill Consolidated Common School District in Swisher County as trustees of this, its immediately succeeding district; providing for an election to adjust all territory contained in said district as herein created which may have been added to this district or to Union Hill Consolidated Common School District to any school bond taxes or special taxes theretofore voted by Union Hill Consolidated Common School District; and for an assumption by said Union Hill Independent School District of its pro rata of taxes payable by any added territory on account of any outstanding bond issues existing against school district of which such added territory may have heretofore formed a part; providing for the adding of additional territory by the trustees of said district and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 150, A bill to be entitled "An Act creating the Indian Creek Independent School District in Roberts County, Texas, and defining its boundaries; providing for the creation of a board of trustees to manage and control the public free schools within said district; their mode of election and tenure of office; conferring upon said trustees all the rights, powers and privileges and imposing all the duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees; providing for the raising of revenues issuing bonds, and levying, assessing and collecting taxes, for building and maintaining public free schools in said district; providing for the appointing of a board of equalization; providing for the filling of vacancies of such board; for the compensation of the members of said board; for a seal and its use and for the administration of oaths by the president and secretary; for the assessment and collection of taxes, and the regulation of same; for the maturity and for a lien and foreclosure upon the property for taxes; adopting the provisions of existing and hereinafter enacted State laws; providing for all laws in conflict herewith are repealed and that invalidity of any portion hereof shall not impair the remainder of this Act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 181, A bill to be entitled "An Act validating Common School District No. 3 of Bailey County as defined and attempted to be created by the county board of school trus-

tees of Bailey County on February 14, 1921, and validating all bond issues and special taxes which may have been voted by said district and providing for an election to adjust all territory therein contained or which may have been added to said district by the said order to taxes which may have been theretofore levied upon the property of said Common School District No. 3 and for an assumption by said common school district of the pro-rata of taxes to which any territory added to said district by said order of February 14, 1921, may be subject by reason of any outstanding bond issue or issues previously voted by any school district or school districts, of which such added territory may have theretofore formed part; and declaring an emergency."

Have had the same under consideration, and I am requested by the committee to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,  
Austin, Texas, May 10, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 197, A bill to be entitled "An Act amending Section 8 of Chapter 44, Local and Special Laws of the Regular Session of the Thirty-eighth Legislature of the State of Texas, creating the Southland Independent School District in the counties of Garza, Lynn, and Lubbock in the State of Texas, so as to change said section of said law to provide for the issuance of bonds for building purposes in said district to bear interest not to exceed six (6) per cent per annum; providing that said district may levy a tax not exceeding fifty cents on the one hundred dollars valuation of taxable property for building purposes, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 218, A bill to be entitled "An Act creating Westover Independent School District of Baylor County; defining the powers of said district; providing for the organization of said district; providing for an election to determine whether the several outstanding obligations which may exist against the several portions of territory embraced in this district shall be assumed in whole and pro rata by this district and taxes levied upon the property of this district to provide for such indebtedness and the pro rata thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 190, A bill to be entitled "An Act correcting the boundaries of the present Hale Center Independent School District; providing for payment of bonds issued by the present district; limiting area to be furnished free transportation; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 222, A bill to be entitled "An Act creating and establishing

the Lindsey County Line Independent School District, in Lubbock and Hockley Counties, Texas; defining its boundaries; providing for the election of boards of trustees to manage and control the schools of said district; authorizing said district to issue bonds, and to assume the payment of parts of the outstanding indebtedness against the school district affected by this Act; and investing said district with the rights, powers, privileges and duties of independent school districts organized or existing under General Laws of the State and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee of Educational Affairs, to whom was referred

H. B. No. 213, A bill to be entitled "An Act enlarging Woodson Independent School District of Throckmorton and Stephens Counties; defining the boundaries and prescribing the powers thereof; and for the assumption by said district of the bonded indebtedness now existing against the present Woodson Independent School District and for adjusting the territory of said district as enlarged to such special taxes as may have been voted by the present said district."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 215, A bill to be entitled "An Act validating Common School District No. 1, Bailey County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room.

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 78, A bill to be entitled "An Act creating and defining the Ringgold Independent School District, Montague County, Texas, out of the territory known as Ringgold Independent School District in Montague County, Texas, for free school purposes only, and defining its boundaries; providing for the extension of its boundaries; repealing Chapter '44' House Bill 540, Local and Special Laws, Thirty-sixth Legislature passed at its Regular Session; investing the Ringgold Independent School District, Montague County, Texas, with the exclusive control of its public free schools and vesting the title to all property in said district; providing for the present trustees to continue in office for the term to which elected, and conferred upon the board plenary powers; providing for the levying, assessing, and collecting of taxes for the maintenance of the public free schools in said district; providing authority to appoint a board of equalization for said district, and defining its duties and powers; providing authority for the board of trustees to issue bonds for the purpose of purchasing school buildings, sites, and erecting and equipping school buildings within said district and to levy taxes therefor; providing means by which the collection of delinquent taxes may be facilitated; providing that the bonds heretofore issued by the Ringgold Independent School District shall be a charge against the district herein created, and that all outstanding indebtedness owing by said district shall likewise be charged against the district herein created; providing for the repeal of all laws in conflict with any provision hereof and further providing that if any section or part hereof is at any time declared to be unconstitutional, it should not affect

the other provisions hereof, and declaring an emergency.

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill that it be not printed.

WOOD, Chairman.

Committee Room.

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 144, A bill to be entitled "An Act creating the Hopewell Independent School District in Smith County, Texas; defining its boundaries, including the present Common School District No. 24; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness heretofore voted in Hopewell Common School District No. 24; providing for the appointment of a tax assessor and collector and board of equalization for said district; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 116, A bill to be entitled "An Act creating the Rocksprings Independent School District in Edwards County, Texas; defining its metes and

bounds, providing a board of trustees therefor, for raising revenue, issuing bonds, vesting it with the rights powers and duties of districts incorporated for school purposes only under the General Laws of the State of Texas, providing for an election to assume the outstanding bonds of the Rocksprings Common School District, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 79, A bill to be entitled "An Act creating the Montague Independent School District in Montague County, Texas; defining its boundaries, including the Montague Independent School District No. 7, divesting Montague Independent School District No. 7 of title to all school property in said district, and vesting the same in the Montague Independent School District and its board of trustees; conferring upon said district and its board of trustees all the rights, power, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 113, A bill to be entitled "An Act to create the Tarpley Independent School District in Bandera County, Texas, providing a board of

trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected in accordance with the provisions of this Act, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 139, A bill to be entitled "An Act to amend Section 2 of H. B. 606 of the laws passed at the Regular Session of the Thirty-eighth Legislature, 1923, by changing the time and terms of holding court in the Sixty-third Judicial District, so that Section 2 of said Act shall hereafter read as follows, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 135, A bill to be entitled "An Act creating the Balmorhea Independent School District in Reeves County, Texas; defining its boundaries, including the present Common School District No. 4; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers privileges and duties now conferred and imposed upon by the General Laws upon independent school districts and

the board of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the assumption by said district of the outstanding bonded indebtedness therefore voted in La Loma Common School District No. 4; providing for the appointment of a tax assessor and collector and board of equalization for said district, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

We, your Committee on Educational Affairs, to whom was referred

H. B. No. 133, A bill to be entitled "An Act to create the Plano Independent School District in Collin County Texas, including the present Plano Independent School District of said county, providing a board of trustees therefor, vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas, providing that the board of trustees of the present Plano Independent School District shall continue to act as such until their successors are elected as provided herein; divesting the city of Plano of the control of the public schools of the district, as created by this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 132, A bill to be entitled "An Act to incorporate Farmersville Independent School District in Collin County, Texas, for free school purposes

only; defining its boundaries; divesting the city of Farmersville of the control of its public free schools and of its school property, and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools inure to the benefit of said independent school district and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said independent school district and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 165, A bill to be entitled "An Act to validate Simmons Common School District No. 7 in Grayson County, Texas, as re-defined and re-established by order of the county school trustees of Grayson County, Texas, on February 12th, 1923, and Common County Line School District No. 8, as re-defined and re-established by an order of the county school trustees of Grayson County, Texas, on February 12th, 1923, and by an order of the county school trustees of Collin County, Texas, on February 13th, 1923, and declaring an emergency."

Have had the same under consideration, and I am requested by the committee to report the same back to the Senate with the recommendation that it do pass, and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 10, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred

H. B. No. 178, A bill to be entitled "An Act creating Herring Hightower County Line Independent School District, embracing therein territory in Parker and Hood Counties, defining its boundaries and its powers and authority and providing for its organization under the General Laws."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

WOOD, Chairman.

## TWENTIETH DAY.

Senate Chamber,

Austin, Texas,

Friday, May 11, 1923.

The Senate met at 10 o'clock, pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Thomas.
Davis.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Absent.

Stuart. Witt.

Absent—Excused.

Doyle.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

## Excused.

Senator Doyle for today, on account of important business, on motion of Senator Bailey.

Senator Stuart for today and indefinitely, on account of important business, on motion of Senator Murphy.

## H. B. No. 12—Ordered Printed in the Journal.

Senator Ridgeway moved that H. B. No. 12, providing for a State Board of Equalization on Taxes, which was reported adversely, be printed in the Journal.

The motion prevailed.

## S. B. No. 31—House Amendments Concurred In.

Senator Wood called up S. B. No. 31 and moved that the Senate concur in the following amendments:

Amend S. B. No. 31 by inserting after line 40 the following:

"State Highway Department.

"For purchase of number plates for the fiscal year ending August 31, 1922, provided the same shall be paid out of any funds in the special highway funds not otherwise appropriated, which deficiency was necessary on account of the passage of a law by the Regular Session of the Thirty-seventh Legislature, requiring the re-numbering of automobiles, \$41,279.60."

And by amending the caption by adding after the figure "31" in line 19 the following: "1922 and August 31st."

The Chair laid the bill before the Senate, and the House amendments were concurred in by the following vote:

Yeas—26.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Turner.
Davis.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Lewis.	Wood.
McMillin.	Woods.